

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

FRANCISCO LUEVANO

VS.

ETC MEXICANA SA de CV and
SANTIAGO TORRES MORALES

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CIVIL ACTION NO.: _____

(JURY DEMANDED)

PETITION PROVIDING NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COME NOW Defendants **ETC Mexicana SA de CV** and **Santiago Torres Morales**, pursuant to 28 U.S.C., §1446, filing this their *Petition Providing Notice of Removal* and for cause show as follows:

I.

Plaintiff **Francisco Luevano** instituted this civil action against Defendants **ETC Mexicana SA de CV** and **Santiago Torres Morales** in the 389th District Court of Hidalgo County, Texas. True copies of the process and pleadings from the state court litigation are contemporaneously filed herewith (*Index of Matters Being Filed, Tabs 1, 2, 3 and 4*).

II.

This action is properly removable under 28 U.S.C., §1441(a) because the United States District Court has original jurisdiction pursuant to 28 U.S.C., §1332(a)(2). This action is timely removable pursuant to 28 U.S.C., §1446(b). Defendant first received notice of this suit when it was served with Citation on June 20, 2017 and this removal petition is filed within 30 days thereafter.

III.

The Plaintiff is a natural person and resident of the State of Texas. Defendants are a corporation of the nation of Mexico (ETC Mexicana SA de CV) and a citizen of the nation of Mexico (Santiago Torres Morales).

IV.

Plaintiff pleads personal injuries arising from a motor vehicle accident occurring on or about February 17, 2017. Plaintiff's Original Petition, ¶ 10, recites that Plaintiff seeks monetary damages "aggregating \$100,000 or less". The amount in controversy satisfies the "threshold" requirements of 28 U.S.C., §1332(a). Defendants exercise timely removal jurisdiction.

V.

Notice of Removal to the United States District Court has been provided to the 389th District Court of Hidalgo County, Texas, from which this lawsuit originated and to counsel for Plaintiff. All Defendants consent to this removal.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that this action be removed to the United States District Court for the Southern District of Texas, McAllen Division; that it be afforded judgment; and, for such other and further relief that they may be entitled.

Respectfully submitted,

ADAMS & GRAHAM, L.L.P.

134 E. Van Buren, Suite 301

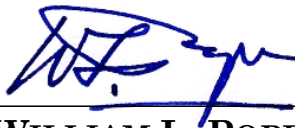
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Harlingen, TX 78551-1429

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By: _____



WILLIAM L. POPE

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Attorney-in-Charge for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of July, 2017, a true and correct copy of the above and foregoing instrument was forwarded to the following counsel of record, *to wit*:

Ezequiel Reyna, Jr. *Via Electronic Service:* jparedes.zreynalaw@gmail.com
Law Offices of Ezequiel Reyna, Jr., P.C.
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Weslaco, TX 78596



WILLIAM L. POPE